IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No. 705 of 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE D.H.WAGHELA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ABDUL HAFIZ A SHAIKH - Applicant(s)
Versus
BILKISH ABDUL HAFIZ SHAIKH & 2 - Respondent(s)

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Appearance :
MR IS SUPEHIA for Applicant(s) : 1,
RULE SERVED for Respondent(s) : 1 - 2.
Mr I.M. Pandya, addl.PUBLIC PROSECUTOR for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE D.H.WAGHELA

Date : 09/03/2007

ORAL JUDGMENT

1. The revisionist, husband, has called into question the judgment and order dated 10.9.1998 of the learned Addl.Sessions Judge, Panchmahals at

Godhra, allowing the revision application of wife and one of the daughters for enhancement of the amount of maintenance. That revision application was filed by the wife and one of the daughters only. But the learned Addl.Sessions Judge was, by the impugned order, pleased to enhance the amount of maintenance for the other daughter also, who was not a party to the proceedings and that is stated to have been the main grievance in the present petition. It was fairly conceded by the learned counsel Mr I.S. Supehia that the minor daughter in whose favour the amount of maintenance was increased without her being an applicant in the revision application before the learned Addl.Sessions Judge, was also not made a party in the present proceedings, even though the relief was claimed against her. In these facts and in view of the detailed reasons recorded by the court in the impugned order, the present application is not required to be entertained and allowed. Accordingly, the revision application is **rejected** and Rule is discharged with no order as to costs.

sd/-
[D. H. Waghela, J.]

msp